

**MINUTES, FREMONT PLANNING COMMISSION  
REGULAR MEETING OF JULY 25, 2002**

CALL TO ORDER: Chairperson Manuel called the meeting to order at 7:00 p.m.

PRESENT: Chairperson Manuel, Commissioners Arneson, Cohen, Harrison, Thomas, Weaver, Wieckowski

ABSENT: None

STAFF PRESENT: Jeff Schwob, Senior Planner  
Larissa Seto, Senior Deputy City Attorney II  
Julie Vidad, Recording Clerk  
Antoinette Reyes, Recording Clerk  
Chavez Company, Remote Stenocaptioning  
Walter Garcia, Video Technician

APPROVAL OF MINUTES: Regular Meeting of July 11, 2002.

THE CONSENT LIST CONSISTED OF ITEM NUMBERS 2 AND 3.

IT WAS MOVED (WEAVER/WIECKOWSKI) AND UNANIMOUSLY CARRIED BY ALL PRESENT THAT THE PLANNING COMMISSION TAKE THE FOLLOWING ACTIONS ON ITEM NUMBERS 2 AND 3.

**Item 2. BHARAT BAZAR – Citywide and 49127/49133 Milmont Drive – (PLN2002-00267)** - to consider a Citywide Zoning Text Amendment (ZTA) to modify Article 18.6 ((F) Flood Combining District) of the Fremont Municipal Code to allow a food manufacturing/processing facility and other miscellaneous uses in industrial areas; and to consider a Zoning Administrator Permit (ZAP) for the manufacturing (grinding and blending/mixing/packing/repacking) of flour and other grain mill products. Other activities include warehousing and wholesale of goods processed on the premises. The ZTA is exempt from CEQA review per Section 15061(b)(3), because the project has no potential for causing a significant effect on the environment. While the project would allow an otherwise not permitted use, the use is no more intense than other, already permitted uses for the zoning district for environmental purposes. The ZAP portion of the project is exempt from CEQA review per Section 15301, Existing Facilities.

Vice Chairperson Arneson stated that when she visited the site, she saw grain on pallets through the open door. She understood that the business was not open.

Senior Planner Schwob stated that the business had been open for some time and been evaluated by various public city departments. The permitted use would be for warehousing and storage, which did not include mixing the grains and performing the operations that had occurred in the past.

**HOLD PUBLIC HEARING;**

**AND**

**RECOMMEND THE CITY COUNCIL FIND THAT THE ZONING TEXT AMENDMENT PORTION OF THE PROJECT IS EXEMPT FROM CEQA REVIEW PER SECTION 15061(B)(3), BECAUSE THE PROJECT HAS NO POTENTIAL FOR CAUSING A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND THAT THE ZONING ADMINISTRATOR PERMIT PORTION OF THIS PROJECT IS EXEMPT FROM CEQA REVIEW PER SECTION 15301, EXISTING FACILITIES;**

AND  
FIND PLN2002-00267 IS IN CONFORMANCE WITH THE RELEVANT PROVISIONS CONTAINED IN THE CITY'S GENERAL PLAN. THESE PROVISIONS INCLUDE THE DESIGNATIONS, GOALS AND POLICIES SET FORTH IN THE GENERAL PLAN'S LAND USE AND HEALTH AND SAFETY CHAPTERS AS ENUMERATED WITHIN THE STAFF REPORT;

AND  
FIND THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE REQUIRE THE ADOPTION OF THIS ZONING TEXT AMENDMENT PLN2002-00267 BECAUSE IT WILL ALLOW CURRENTLY PROHIBITED USES THAT ARE ALREADY ADEQUATELY REGULATED BY OTHER SECTIONS WITHIN THE FMC, AND NEED NOT BE FURTHER RESTRICTED;

AND  
RECOMMEND PLN2002-00267 TO THE CITY COUNCIL IN CONFORMANCE WITH EXHIBIT "A" (ZONING TEXT AMENDMENT);

AND  
AUTHORIZE THE ZONING ADMINISTRATOR TO ISSUE ZONING ADMINISTRATOR PERMIT PLN2002-00267 TO ALLOW THE FOOD PROCESSING FACILITY, SUBJECT TO AND CONDITIONED ON THE APPROVAL OF ZONING TEXT AMENDMENT PLN2002-00267.

- Item 3. **FREMONT HINDU TEMPLE – 3676 Delaware Drive – (PLN2002-00319)** - to consider a Conditional Use Permit Amendment for improvement of the existing facade and construction of a gazebo and covered walkway for an existing religious facility. This project is categorically exempt from CEQA review per Section 15301, Existing Facilities, and Section 15303, New Construction or Conversion of Small structures.

HOLD PUBLIC HEARING;

AND  
FIND PLN2003-00319 EXEMPT FROM CEQA REVIEW PER SECTION 15301, EXISTING FACILITIES, AND SECTION 15303, NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES;

AND  
FIND PLN2002-00319 IS IN CONFORMANCE WITH THE RELEVANT PROVISIONS CONTAINED IN THE CITY'S EXISTING GENERAL PLAN. THESE PROVISIONS INCLUDE THE DESIGNATIONS, GOALS AND POLICIES SET FORTH IN THE GENERAL PLAN AS ENUMERATED WITHIN THE STAFF REPORT;

AND  
APPROVE PLN2002-00319, AS SHOWN ON EXHIBIT "A", SUBJECT TO FINDINGS AND CONDITIONS ON EXHIBIT "B", COLOR AND MATERIALS BOARD INFORMATION EXHIBIT "D".

The motion carried by the following vote:

AYES: 7 – Arneson, Cohen, Harrison, Manuel, Thomas, Weaver, Wieckowski  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

## **PUBLIC COMMUNICATIONS**

## **ORAL COMMUNICATIONS**

## PUBLIC HEARING ITEMS

- Item 1. **WANEE RESIDENCE – 1007 Sage Court – (PLN2002-00201)** – to consider an Amendment to a Planned Unit Development to allow a new 3,652 square foot residence (4,295 square foot including garage) for property located in the Mission San Jose Planning Area. This project is categorically exempt from CEQA review Section 15303(a), New Construction or Conversion of Small Structures.

**MODIFICATION TO EXHIBIT “B” CONDITIONS OF APPROVAL:**

**A20a. If during construction it is determined that any existing trees are within the subject property or on the property line, those trees shall be preserved and any fencing will be adjusted so as to preserve those existing trees.**

Commissioner Harrison asked if the modification was being added to Condition A20.

Senior Planner Schwob confirmed that it was.

Michael Jung, ABR Architecture, stated that staff's report correctly described the project. He introduced the owner, Reda Wanee.

Chairperson Manuel opened the public hearing.

Commissioner Thomas asked if the left side of the house would have cedar wood fencing or was a stucco wall with wrought iron gates planned for both sides or just on the other side of the house. She also asked if the driveway was on the right side where the stucco wall was.

Mr. Jung stated the left side would have cedar fencing with a gate and the right side would have a gate within the stucco extension of the house. She was correct about the driveway.

Commissioner Cohen asked if the front door would be wood or a composite material and what the material around the window would be made of. He asked if the side columns were made of polyurethane.

Mr. Jung replied that the front door would be made of solid wood. The window trim would be styrofoam covered with plaster. The column would be a composite column with a painted wood finish.

Commissioner Thomas asked about the metal railing over the front door that jutted out over the front entryway and the roof that extended past the columns to cover the balcony. She believed the design of the balcony and roof made the upper part of the house too dominant. She asked if the rail could be made smaller and set at the back of the column, rather than at the front, which would allow the roof to be set back and the balcony to be made shorter.

Mr. Jung agreed that the front balcony bulged a little and that the roof overhung the balcony area. It was flush with the stonework in the front and was flush on each side with the column and it curved out a little in the center. That balcony was designed to provide protection for the front entry. He agreed to move the rail back and to consider reducing the balcony so that it did not project quite so far from the house.

Chairperson Manuel noted that the design guidelines mandated a single-story entry and Commissioner Thomas's concern was appropriate. She suggested that the problem could be worked out with staff.

Chairperson Manuel asked why two different styles of decorative wrought iron were planned.

Mr. Jung replied that the front guardrails in the front were chosen to simplify the front elevation.

Chairperson Manuel closed the public hearing.

Commissioner Thomas stated that the proposed house had a very boxy appearance with no one-story elements in the living areas. The second-floor deck protruded too far from the side and was awkward and overpowering. She suggested that the front element be redesigned to conform to the design guidelines and provide a one-story entrance. The wrought iron gate that was set into the stucco, on the side of the house, was very attractive. However, it made the house look like it was built to each side lot line and was not appropriate for this lot and the design of this house.

Chairperson Manuel agreed with Commissioner Thomas about some of the massing issues. The stone made the front element more imposing and bulkier than it should be. In her opinion, the front element would be dominated by a two-story element, which was not intended in this particular planned district. The landscape design had no "theme" and used common, "Home Depot" plants. Since the house design was to be Mediterranean, that feel should be evoked by the correct use of plants, such as, more vines or drought-tolerant grasses. She also noted that "beige, beige and beige" was discouraged by the Commission and asked that different color choices be considered in the future.

Commissioner Thomas asked the other Commissioners if they agreed to a redesign of the front element and a change of the fence elements, or should staff work with the applicant without bringing it back to the Commission.

Commissioner Weaver stated that she would like to see the front element redesigned. She was unsure about the wrought iron gate in the stucco wall, as she liked it.

Vice Chairperson Arneson asked a one-story element was important. If so, she felt that more than the front balcony should be changed to create a true, one-story element.

Chairperson Manuel agreed that the front element should be one story, which would dramatically break the mass. She also believed that recessed doors and windows would be appropriate for the style of the house. Therefore, the styrofoam trim could be eliminated, which would add to the long-term quality of the home.

Chairperson Manuel summarized the Commission's comments:

- Break up the front element massing to create a pedestrian-scale, single-story entry that the design guidelines suggest.
- Redesign the landscape plan
- Recess windows rather than trimming them out with styrofoam.
- Revisit the stone and how it created bulk

Vice Chairperson Arneson noted that the styrofoam was susceptible to being pushed in and dented, which was very unattractive. It worked best where it could not be bumped into and damaged.

Commissioner Cohen stated that this design was not a custom home, as required by the design guidelines.

Vice Chairperson Arneson suggested that the width of house should be reduced to eliminate the look of the house being built from lot line to lot line, as the sidewalls truly were just ten feet from each side lot line.

Senior Planner Schwob summarized the Commission's suggestions. The applicant was to:

- Reduce the massing of the front entry element
- Consider a one-story element to meet the design guideline requirements
- Consider Mediterranean landscaping that would fit with the style of the home
- Reevaluate the window trim and consider recessing the windows in lieu of using the styrofoam
- Reevaluate the use of stone along the façade to help reduce the bulkiness and mass of the front entry element
- Explore architectural details that would help to make the home look custom versus tract (windows, doors, columns, railings)
- Consider reducing the width of the home, because the current design would absorb nearly the entire width of the lot
- Explore a true, one-story element along the front

IT WAS MOVED (THOMAS/WEAVER) AND CARRIED BY THE FOLLOWING VOTE (7-0-0-0) THAT THE PLANNING COMMISSION **CONTINUED TO SEPTEMBER 12, 2002.**

The motion carried by the following vote:

AYES: 7 – Arneson, Cohen, Harrison, Manuel, Thomas, Weaver, Wieckowski  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

A speaker from the public stated that he was there for the Bharat Bazar and was late because he went to the new location for City Council meetings on Liberty Street.

Chairperson Manuel informed him that it had been passed on consent earlier in the meeting.

## **MISCELLANEOUS ITEMS**

### Information from Commission and Staff

- Information from staff
  - Senior Planner Schwob stated that the City Council had its last meeting in the Council Chambers on Civic Center Drive this week and all subsequent meetings would be held at 3300 Capital Avenue in the City Administration Building. The Planning Commission would meet in the Council Chambers on Civic Center Drive on August 8<sup>th</sup> and meet at 3300 Capital Avenue thereafter, beginning September 12<sup>th</sup>.
  - Senior Planner Schwob asked how many Commissioners received the green sheet for this meeting. No one had received it.

Commissioner Thomas stated that she has had problems with the web site links and she believed there was some kind of an internal problem that should be addressed.

Senior Planner Schwob stated that some "glitches" had occurred when converting from the old web site to the new one. The page for the Planning Commission would include the agenda, the reports and the minutes. New links would be added soon that covered all areas concerned with planning. The City's web site could be located at [www.fremont.gov](http://www.fremont.gov).

Commissioner Harrison asked if the Small Lot Guidelines would be included as a link and how far back would the minutes be available on the web page for the Planning Commission.

Senior Planner Schwob stated that the Small Lot Guidelines would be added later. The Planning Commission minutes would start in July 2002 and one years worth would be posted from then on.

- Information from Commission
  - Chairperson Manuel opined that the picture taken of the Commission was quite nice. She saw it on the new web site.
- Commissioner Weaver reminded the Commission that she had a conflict in August and would not attend the August 8<sup>th</sup> meeting.

Commissioner Thomas stated that she would also be absent from the August 8<sup>th</sup> meeting.

Commissioner Cohen asked why the Planning Commission-City Council joint meeting was cancelled and when would it be rescheduled.

Senior Planner Schwob promised to research it.

- Chairperson Manuel asked if an open house was scheduled for the new Council Chambers. If not, could a tour be scheduled for the Commission?

Senior Planner Schwob indicated that it would be arranged.

Meeting adjourned at 7:40 p.m.

SUBMITTED BY:

APPROVED BY:

Alice Malotte  
Recording Clerk

Jeff Schwob, Acting Secretary  
Planning Commission